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S.G.R.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/405,921 09/24/99 YOSELOFF

M 307.026US1

EXAMINER

021186 QM12/1204
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P.O. BOX 2938
MINNEAPOLIS MN 55402

ART UNIT	PAPER NUMBER
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3713

#3

DATE MAILED: 12/04/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/405,921

Applicant(s)

YOSELOFF ET AL.

Examiner

Steven L Ashburn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 1999 is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the Input/Output Adapter as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawings. See MPEP § 608.02(d).
2. The specification describes an I/O Adapter for performing operations such as signal conversion, conditioning, encoding, multiplexing, etc (pg. 9, line 14 – pg. 10, line 17). Figure 2 illustrates this component however it does not provide sufficient detail to allow an understanding of how the unit functions. This deficiency is compounded by the schematic's illegible text. Furthermore, three different embodiments of the I/O Adapter are described on page 18, lines 6-17, of which figure 2 portrays only the most basic. Correction is required.
3. The drawings are objected to under 37 CFR 1.81(b) which states the following:

Drawings may include illustrations, which facilitate an understanding of the invention (for example, flow-sheets in cases of processes, and diagrammatic views).
4. The schematics are not sufficient to provide an understanding of the apparatus of the disclosed invention. As interpreted, signals must be transmitted between a Universal Game Controller, an Input/Output (I/O) Adapter, and the remnant game machine hardware. This signal flow is not adequately described. For example, how is data transmitted from a card reader to the processor? It would be advantageous to include flow-charts and/or block diagrams detailing the interrelationship of the system's parts. Correction is required.

Abstract

5. Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "communicatively connected" should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Specification

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The following is a quotation of 37 CFR 1.71(a)-(c):

(a) The specification must include a written description of the invention or discovery and of the manner and process of making and using the same, and is required to be in such full, clear, concise, and exact terms as to enable any person skilled in the art or science to which the invention or discovery appertains, or with which it is most nearly connected, to make and use the same.

(b) The specification must set forth the precise invention for which a patent is solicited, in such manner as to distinguish it from other inventions and from what is old. It must describe completely a specific embodiment of the process, machine, manufacture, composition of matter or improvement invented, and must explain the mode of operation or principle whenever applicable. The best mode contemplated by the inventor of carrying out his invention must be set forth.

(c) In the case of an improvement, the specification must particularly point out the part or parts of the process, machine, manufacture, or composition of matter to which the improvement relates, and the description should be

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confined to the specific improvement and to such parts as necessarily cooperate with it or as may be necessary to a complete understanding or description of it.

7. The specification is objected to under 37 CFR 1.71 because of the following:
 - a. It does not fully disclose the invention such that a person skilled in the art could make use of it. The specification describes the system in generic terms that would apply in any effort to engineer such an interface. Hence, a great amount of experimentation would be required to recreate the apparatus.
 - b. It describes several embodiments but does not clearly define a single best mode of the invention. The specification describes several possible processors and I/O adapters to connect with an undefined game machine interface.
 - c. The specification fails to define the "universal" quality of the disclosed invention. How is the system considered "universal" if it requires a custom I/O Adapter for each installation?

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. As discussed above, the I/O Adapter is not described sufficiently to allow its use without undue experimentation. The applicant must provide greater detail as to the preferred embodiment and its "best mode" application. Also, the

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applicant must clarify what is unique about the component in comparison to known art of input/output interfaces?

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Acres (U.S. Patent 5,752,882) in view of Arcade Machine Retrofit (10/20/1996, www.cygnum.uwa.edu.au/~jaycole/jaw/arcade.html)

12. The patent to Acres provides an excellent example of modern gaming machines linked on a network. The patent teaches to following aspects that are relevant to this application:

d. Claims 1, 19 & 20:

- i. Controlling a variety of gaming devices produced by different manufacturers through a common interface unit (col. 2, lines 40-43; col. 16, line 48 – col. 17, line 51).
- ii. Linking gaming machines to a central controller (col. 7, lines 9-15) though a communications port (col. 8, lines 41-61).
- iii. Displaying game symbology on a machine's video display as generated by an embedded motherboard. (figs. 1-12).

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- e. Claim 2 & 11: Employing personal computers as central controllers (col. 7, lines 25-26, 53-55).
 - f. Claim 3 & 12: Communicating via serial communication (col. 23, lines 13-23).
 - g. Claim 4 & 13: Linking a variety of gaming machines types (e.g. slot, table, pushbutton) to a central controller (col.7, lines 16-25).
 - h. Claims 5, 6, 14 & 15: Providing user interfaces including a card reader and coin acceptor/dispenser (col. 26, line 55 – col. 29, line 27).
 - i. Claims 7, 8, 16 & 17: Providing security devices including a soft tilt (figs. 9, 14 & 16; col. 8, lines 17-29).
 - j. Claim 18: Linking game machines to central controller through in input/output board which includes means to accommodate serial, discrete, and network data signals (col. 9, line 31 – col. 10, line 44; figs. 2, 3 & 4.)
13. From the above references it can be seen that the patent to Acres teaches a majority of the features of claimed invention. The essential difference is that Acres' implementation is a network system vice a stand-alone unit. As admitted in the specification, it is well within the skill of those in art to construct video wagering games devices using personal computer motherboards (page 12, lines 18-25). Provided proper motivation, one skilled in the art could condense the Acres system into a PC-based, stand-alone unit. Regardless, there are some aspects of the disclosed invention that Acres does not teach. These include the following:
- a. Claim 9:
 - a. Reconfiguring an electronic wagering game by removing its specialized processor and replacing it with a personal computer and interface unit.

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- b. Transmitting signals through the system components to confirm proper communication.
 - b. Claim 10: Confirming system operation by generating game symbology on the video display.
14. Numerous Internet web sites describe methods of retrofitting obsolete arcade machines with modern personal computers. One such site is *Retrofitting a Low-Boy Arcade Machine with a Pentium-powered M.A.M.E. Setup*. It teaches the use of a personal computer as low cost method to upgrade 1970s era arcade game machines. In short, this method involves removing the obsolete processor and replacing it with a personal computer executing re-hosted software. The original user interface is preserved and integrated with the personal computer. Despite its crude implementation, the method teaches the basic motivation and process claimed by the present application.
15. When the patent to Acres' is considered in view of the arcade machine retrofit method, the motivation to upgrade standalone, wagering machines becomes readily apparent. It would have been obvious to one skilled in the art to upgrade wagering game machines using a personal computer through an interface board to provide a low-cost, flexible system of upgrading machines manufactured by various companies.
16. Transmitting signals through the system components to confirm proper communication and operation is a standard checkout and troubleshooting technique required in any engineering effort. It would have been obvious to one skilled in the art to perform these steps.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven L Ashburn whose telephone number is 703 305 3543.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 703 308 4119. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305 3590 for regular communications and 703 308 3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1078.



Steven Ashburn
November 20, 2000



JESSICA J. HARRISON
PRIMARY EXAMINER